

law. You are not going to get rid of them. When we passed Connecticut v. Griswold and Casey, that is when we basically went down the road of making sure that women weren't killed in back alley abortions. We actually saved lives of women, and we started getting people to take care of planned pregnancies and make progress of having people on contraception.

We are not going to get rid of abortions by listening to the Supreme Court or passing something. They will happen. It will go back to any back alley approach or other issues to try to deal with it.

So I ask my colleagues: What are you thinking when you are advocating for a return to pre-Roe? What exactly do you think is going to happen in the United States of America? I can tell you, you are going to leave women without the ability to control their own bodies, without the ability for them and their doctor to make decisions.

So many of these issues are about that woman and her doctor making a decision. You know, we make laws to deal with the parameters and the exceptions to the rule. This is a process by which we have laid out what we think is reproductive healthcare choice and then directed people to deal with their physician on these issues. But the other side would like to take these issues to the extreme and say that women have gone too far on their own healthcare choices.

I guarantee you, there are many times where it is a decision between the life of the mother and the life of a child. Do we really want government making that decision, or do we want the physician and the individual woman making that decision?

I ask my colleagues: Do you believe the right to privacy exists within the Constitution or are you like the Supreme Court? You don't believe in the decisions of previous Supreme Court Justices? You don't think they have solid standing because you don't believe that privacy is a long-held view of the United States? I guarantee you, it is fundamental to who we are as a country, and it is fundamental to who we are today and why individual women should have that right and have that protection.

But people aren't even thinking about the broader impacts. Secretary Yellen testified today:

Eliminating the right of women to make decisions about when and whether to have children would have very damaging effects on the economy and would set women back decades. Roe v. Wade . . . enabled many women to finish school and increase their earning potential.

No one has even talked about exactly how this would work. I am confused about how it would work State by State. I will also tell you, this Supreme Court really—I don't even know what to say about it except for when I interviewed one of the Supreme Court Justices, who I am pretty sure is making this decision—I said: This is very im-

portant to the State of Washington because the people of the State of Washington have voted to make Roe v. Wade the law of our State.

And he said: Oh, Senator, Senator, you are mistaken.

I said: I am mistaken about my State, about what happened?

He said: You mean your legislature voted.

I said: No, sir, the people in my State voted by initiative in the nineties to codify these rights into our State law because that is what the people of my State believe.

So the arrogance of this Court, you can see, continues not to listen to the views of 70 percent of Americans.

I believe that you should be able to ask Justices what their judicial opinion and philosophy is. They should tell you. If these Justices did not believe that this was the law of the land and should be upheld, if they didn't believe in these rights of privacy, they should have told everybody clearly.

But it is hardly in the mainstream view of Americans.

Tomorrow we will have a chance to say whether we believe in these privacy rights, whether we believe in a woman's reproductive choices, whether we believe that 50 years—just about 50 years—and 70 percent of the American people are worth listening to. I would listen and pass this legislation tomorrow because I guarantee you, if it is not just this privacy right, why are you going to trust them on any other privacy decision in the future if they are not going to be fighting to uphold your privacy rights on women's reproductive health?

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

NOMINATION OF LISA DENELL COOK

Mr. TOOMEY. Mr. President, I rise today to speak on the nomination of Professor Lisa Cook to serve as a Governor of the Federal Reserve Board.

Two weeks ago, Senate Democrats tried to cancel the vote that was scheduled on Professor Cook's nomination.

In his floor remarks, the chairman of the Banking Committee stated that Senate Republicans have been "AWOL in the fight against inflation for months." The irony of that, of course, is that it was Democrats who wanted to cancel the vote. Republicans were ready to vote and not just on Professor Cook, mind you. We wanted to vote on the other Fed nominees as well. I objected to canceling the vote because we were ready to vote, and we wanted to vote, so the vote took place.

Professor Cook's nomination failed that day on a procedural vote by a margin 47 to 51. Then, immediately after that, I asked consent to vote on the two remaining Fed nominees who have been processed in the committee but haven't been voted on. Those would be Chairman Jerome Powell, who has been nominated to be Chairman again, and Professor Philip Jefferson, who both could have been confirmed to the

Fed that day, as they could have been confirmed months ago.

But the Democrats objected to us having a vote a couple of weeks ago. It is really pretty amazing. Let me just be clear for the record. The Democrats hold the majority. The Democrats control the schedule on the Senate floor. And our Democratic colleagues have tied up for months the nominations of multiple nominees, including two—two—Fed nominees who have either unanimous or very nearly unanimous support. That is Jerome Powell and Philip Jefferson.

So if confirming Fed nominees is so important to our Democratic colleagues in the fight against inflation, it makes you wonder about this strategy of canceling votes and not holding votes when Republicans have been trying to confirm the nominees.

But I have a theory as to why this is, and I think it is because our Democratic colleagues know that Professor Cook is simply unqualified to serve as a Governor of the Federal Reserve Board. They don't want to leave her stranded as the final Fed nominee after all the other nominees get confirmed, so they are holding the nominations of Chairman Powell and Professor Jefferson hostage in order to push through their preferred candidate, their top priority.

I want to address this specific point that the chairman has made in the past because he has made this several times. He has suggested that somehow Republicans oppose Professor Cook's nomination because she is a Black woman. Let me just be as clear as I can. That is a very offensive charge to make. It is actually outrageous. It is also blatantly and demonstrably false.

In this Congress alone—a little over 1 year—Banking Republicans have unanimously supported eight Black nominees, six of whom were women: Cecilia Rouse, the first Black woman to serve as Chair of the CEA; Nuria Fernandez; Alexia Latortue; Adrienne Todman; Alanna McCargo; Ventriss Gibson, the first Black woman to serve as Director of the U.S. Mint. Republican Banking Committee members voted unanimously in favor of confirming each of those six Black women, but we still hear this absurd and outrageous charge.

Philip Jefferson—if our Democratic colleagues ever allow us to have a vote on him—will be the fourth Black man to serve as a Fed Governor. He was voted out of the committee 24 to 0.

Let me just be very clear. Banking Committee Republicans didn't support these nominees because of the color of their skin; that is not the criteria by which we evaluate candidates. We supported them because each of them was qualified for the roles to which they were nominated. Frankly, that ought to be the criteria for evaluating any nominee, if you ask me, including Professor Cook.

So let me address some of the arguments you are likely to hear regarding Professor Cook's qualifications.

First of all, my Democratic colleagues like to point to Professor Cook's extensive educational attainments as evidence of her qualifications. She was a Marshall Scholar and a Truman Scholar, she was. She attended Spelman College, Oxford, and obtained a Ph.D. in economics from UC Berkeley.

There is no question, these are impressive credentials, but they do not, by themselves, qualify her—or anyone else for that matter—to serve as the governor of the Fed, especially at a time when we need a Fed that is able and willing to tackle 40-year-high inflation that is devastating American families every single day.

Now, our Democratic colleagues have claimed that Professor Cook is “a leading economist” with years of experience in “monetary policy, banking, and financial crises.” But those claims are simply untrue.

First of all, 75 percent of Professor Cook's assignment at Michigan State, including her tenure, is in the international relations department; it is not even in economics. Second, her experience in monetary policy is literally nonexistent. Not a single one of her publications concerns monetary economics.

When asked to highlight for the banking committee her top works on monetary policy, she provided one, a book chapter on Nigerian bank reforms published 11 years ago. According to the White House, her main qualification on monetary policy is her service as a member of the Chicago Fed's Board of Directors.

She joined the Chicago Fed's Board 2 weeks before President Biden nominated her to serve as a Fed governor.

Third, her experience handling financial crisis has basically been limited to writing a cursory overview of the Eurozone crisis during a brief stint working in the Obama White House and working in Africa over 20 years ago.

Now, you don't need to be a trained economist to serve on the Fed Board, necessarily; but if you are going to serve on the Fed Board, you do need to have some views on monetary policy. You would think that would be especially the case for someone who is an economist. Given Professor Cook's glaring lack of experience in monetary policy, it perhaps is not surprising that Professor Cook has been unable to articulate any opinion at all on how the Fed should tackle inflation.

Throughout the nomination process, she repeatedly refused to endorse the Fed decision to pull back its ultra-easy money policy. She also refused to suggest any alternative policy. And only on the actual day, while at her hearing, did she finally begrudgingly say that she agreed with the “Fed's path right now as we are speaking.”

Professor Cook's answers to very basic questions about what the Fed should do to tame inflation—to paraphrase the late Justice Scalia—amount to nothing more than logical appli-

cation. Professor Cook has continued to insist she would need to be confirmed to the Fed Board before she can have a view on inflation, because in her words: “We don't have access to all the data that the Fed has.” And she also said: “We don't have access to the deliberations at the time they are being made.”

Now, these things are just bewildering for someone who has been nominated to address the most pressing inflationary threat in nearly two generations. And let's be clear, the Fed has no secret data as Professor Cook seems to believe.

In fact, monetary policy, including the recent 41 percent increase in the money supply is extremely transparent. Anyone who wants to know has all the data available to him or herself.

Just about every economist in the country right now has an opinion about inflation. Every other nominee to the Federal Reserve has an opinion about inflation, including what to do about it.

And since we know very little about her views on inflation, my grave concern is that Professor Cook will serve as an inflation dove on the Fed at a time when American families continue to be ravaged by these price increases.

But you don't have to take it from me, Bloomberg Economics expressed concern with Professor Cook's wishy-washy answers also, and they wrote:

Asked if she would endorse the current rates trajectory, she did not provide a straight answer but said she would look at data once the decision point arrives.

Another quote from their analysis:

When asked how she would get inflation under control, she answered: By eliminating the risk of financial crisis.

The American people deserve better than this. They deserve a serious nominee who understands monetary economics, has a firm grasp on how to combat inflation and restore stable prices, and will serve without a political agenda.

So if Lisa Cook doesn't have any expertise in monetary policy, then why would Democrats want her on the Fed Board? Well, that brings me to my second point: Professor Cook's history of extreme leftwing political advocacy and hostility to opposing viewpoints, which I think make her unfit to serve on the Fed.

It is exceptionally important to keep politics out of monetary policy, but unfortunately, we have seen the encroachment of politics at the historically independent Federal Reserve.

There are people on the left, including in the Biden administration, who openly advocate that the Fed use its supervisory powers to resolve complex political issues, like what to do about global warming and social justice, even education policy.

These are all very important issues, but they are wholly unrelated to the Fed's limited statutory mandates and expertise. Professor Cook's record indicates that she is likely to inject fur-

ther political bias into the Fed Board at a time when we need the Fed to be focused on fighting inflation.

In her statements or tweets, retweets, Professor Cook has supported race-based reparations, promoted conspiracies about Georgia voter laws, and sought to cancel those who disagree with her, with her views. She specifically and publicly called for the firing of an economist and colleague who dared to tweet that he was opposed to the idea of defunding the Chicago police.

The fact is the Fed is already suffering from a credibility problem because of its involvement in politics and its departure from its statutorily proscribed role and its failure to keep inflation under control. I am concerned that Professor Cook will further politicize an institution that really needs to get back to being apolitical.

I urge my colleagues to vote against the nomination of Lisa Cook.

The PRESIDING OFFICER (Mr. PETERS). The Senator from Ohio.

Mr. BROWN. Mr. President, I have kind of heard it all today. I am not going to engage with the ranking member when he calls her unqualified. We know this is about a history of this committee's Republicans voting against very qualified African-American women. We have won that debate; we have won it with the American people.

And I was just handed—because I remembered this. I remembered hundreds, literally hundreds, of prominent people in the economics field and outside the economics field that supported Lisa Cook, they wrote letters. We got more letters, I believe, for Lisa Cook than any nominee for the Fed.

The ranking member knows, and he has voted for some pretty unqualified people, and that he would decide this is one he is voting against is just kind of sad. Let me give you some examples, 35 Marshall and Truman Scholars are supporting her—35; the National Bankers Association; Ben Bernanke, a Bush nominee who was chair of the Federal Reserve; all kinds of organizations, some political, some not political, many of them bank-based.

I will send these to the ranking member so he can get a look at them. I know he has already seen them before, but they seem to have slipped his mind.

I urge my colleagues to support Dr. Cook. She teaches at Michigan State, the presiding officer's proud institution. She would be a historic confirmation to the Board of Governors, we know that. She understands how economic policy affects all kinds of different people in different parts of the country, from the rural south where she grew up to the industrial Midwest where she built her career. One of the things I like about her, the Federal Reserve—I mean, I understand that economic conservatives in this body—and I think the ranking member would probably define himself that way; I admire his courage in voting against—

voting for the removal of President Trump, so I admired his courage. I just think he is wrong on these kind of nominees. But I just—I look at her, and I see how—what I like—one of the things I like about her is the Fed, for years, has just practiced this top-down economic policy. The people that sit on the Fed, they almost all look like me, historically.

In fact, Lisa Cook will be the first Black woman in 109 years ever to sit on the Fed, seven members of the Fed at any one time, and the terms are—usually they stay 5 to 10 years—so you can see how many people cycle in and out. But they almost all believe in this trickle-down economics that you give tax cuts to rich people and it will trickle down and the economy will be better.

Well, Lisa Cook is different. She doesn't come from the coast. She comes from what some people on the coast would call "flyover country," Michigan or Ohio. She grew up in a small town in Georgia.

She went to college at Spelman, one of the best schools in the country. She was a Marshall and a Truman Scholar in England. She got her Ph.D. at Berkeley, and now she is teaching at Michigan State. And that tells me she has a sense of this country.

And he criticized her because of her emphasis on international relations. I like it that we have somebody at the Fed that not only knows the country, knows the great industrial Midwest in Michigan or Ohio—sort of the same in some ways. I like it that she studied on the west coast. I like it that she studied abroad. I like it that she spent time overseas learning about banking in economics and other countries, instead of the cookie-cutter people we always get on the Federal Reserve. Someone very important, speaks very seriously, has a good Ivy League education, but they don't know real people. And Lisa Cook knows real people.

She has years of research and international experience with monetary policy, banking, and financial crises. She has served as an economist under administrations to both parties, and as I said, she has support from across the political spectrum. All kinds of people endorsed her. They sent more letters supporting her than any Fed nom that I remember in front of this Banking Committee, and I have been on the Banking Committee a decade and a half.

She has demonstrated her commitment to Fed independence, the importance of making decisions based on fact. She agrees with Chair Powell that the Fed's most important task right now is to tackle inflation. She believes:

A strong and resilient financial system supports American families, businesses, and our economy.

Those are her words.

Take a moment again and let me go back to why this is historical: the first Black woman in 109 years to serve in the Federal Reserve. Think about that.

Think about that: the first Black woman in 109 years. This country is 12 percent Black. We have had dozens and dozens and dozens of Fed noms, yet we are going to need—probably need the Vice President to come in here and cast the tie-breaking vote because every single Republican, everybody on this side of the aisle, sitting behind every one of these desks is voting against the first African-American woman ever on the Federal Reserve. Spelman College, Truman Scholar, Marshall Scholar, Ph.D. at Berkeley, tenure at one of America's great universities, Michigan State University—and they say she is not qualified? And Judy Shelton was? Really.

She will protect the Fed's independence. She knows that workers drive our economic growth. She, like this President, understands you focus on workers, you put workers at the center of our economy. That is the kind of Fed governor she is going to be. She understands when everyone participates in our economy, it grows faster and stronger for all Americans.

We need her on the job today. I would add the other Senator from Michigan is here who has been a strong, strong supporter of Professor Cook. I join my two colleagues from Michigan and everybody on this side of the aisle to support Lisa Cook for the Federal Reserve.

VOTE ON COOK NOMINATION

The PRESIDING OFFICER. All postcloture time has expired.

The question is, Will the Senate advise and consent to the Cook nomination?

Mr. BROWN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 50, nays 50, as follows:

[Rollcall Vote No. 166 Ex.]

YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

NAYS—50

Barrasso	Cotton	Hawley
Blackburn	Cramer	Hoeven
Blunt	Crapo	Hyde-Smith
Boozman	Cruz	Inhofe
Braun	Daines	Johnson
Burr	Ernst	Kennedy
Capito	Fischer	Lankford
Cassidy	Graham	Lee
Collins	Grassley	Lummis
Cornyn	Hagerty	Marshall

McConnell	Rounds	Thune
Moran	Rubio	Tillis
Murkowski	Sasse	Toomey
Paul	Scott (FL)	Tuberville
Portman	Scott (SC)	Wicker
Risch	Shelby	Young
Romney	Sullivan	

(Ms. HASSAN assumed the Chair.)

The VICE PRESIDENT. On this vote, the yeas are 50, the nays are 50.

The Senate being equally divided, the Vice President votes in the affirmative, and the nomination is confirmed.

Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

The PRESIDING OFFICER (Ms. HASSAN). The majority whip.

MOTION TO DISCHARGE

Mr. DURBIN. Pursuant to S. Res. 27, the Judiciary Committee being tied on the question of reporting, I move to discharge the Committee on the Judiciary from further consideration of the nomination of Charlotte N. Sweeney, of Colorado, to be U.S. District Judge for the District of Colorado.

The PRESIDING OFFICER. Under the provisions of S. Res. 27, there will now be up to 4 hours of debate on the motion, equally divided between the two leaders or their designees, with no motions, points of order, or amendments in order.

ORDER OF PROCEDURE

Mr. DURBIN. Madam President, I ask unanimous consent that the vote on the motion to discharge the Sweeney nomination occur at 11 a.m. tomorrow, Wednesday, May 11, and that the cloture motions filed during yesterday's session of the Senate ripen following disposition of the motion to discharge; further, that if cloture is invoked on the Bedoya nomination, all postcloture time be considered expired at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. DURBIN. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRISH-AMERICAN HERITAGE MONTH

Mr. DURBIN. Madam President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration and the Senate now proceed to S. Res. 552.

The PRESIDING OFFICER. The clerk will report the resolution by title.